

**UNITED STATES OF AMERICA**  
**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

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<http://www.jpml.uscourts.gov>

October 17, 2006

TO CLERKS OF THE FOLLOWING U. S. DISTRICT COURTS:

EASTERN DISTRICT OF CALIFORNIA

MDL-1715 -- In re Ameriquest Mortgage Co. Mortgage Lending Practices Litigation

*Keith T. Towns v. Ameriquest Mortgage Co., et al.*, E.D. California, C.A. No. 2:04-1855 *FCW*

Dear Clerk:

I am enclosing a certified copy of an order filed today by the Panel in the above matter.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Docket Specialist

Enclosure

cc: Transferee Judge: Judge Marvin E. Aspen  
Transferor Judge: Judge Frank C. Damrell, Jr.

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CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
DEPUTY CLERK

JPML Form 32

**A CERTIFIED TRUE COPY**

OCT 17 2006

**DOCKET NO. 1715**

OCT 17 2006

FILED  
CLERK'S OFFICE**ATTEST: THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION****IN RE AMERIQUEST MORTGAGE CO. MORTGAGE LENDING  
PRACTICES LITIGATION***Keith T. Towns v. Ameriquest Mortgage Co., et al., E.D. California, C.A. No. 2:04-1855***BEFORE WM. TERRELL HODGES, CHAIRMAN, D. LOWELL JENSEN, J.  
FREDERICK MOTZ, ROBERT L. MILLER, JR., KATHRYN H. VRATIL,  
DAVID R. HANSEN AND ANTHONY J. SCIRICA, JUDGES OF THE PANEL*****ORDER DENYING TRANSFER***

Before the Panel is a motion, pursuant to 28 U.S.C. § 1407(c), brought by Ameriquest Mortgage Co. and Town & Country Title Services, Inc., seeking transfer of this Eastern District of California action (*Towns*) to the Northern District of Illinois for inclusion in the centralized pretrial proceedings occurring there in this docket. The plaintiff did not respond to the motion.

On the basis of the papers filed and hearing session held (without oral argument), the Panel finds that Section 1407 transfer of *Towns* to the Eastern District of New York would neither serve the convenience of the parties and witnesses nor further the just and efficient conduct of this litigation. This action has been progressing in the Eastern District of California for over two years, and the deadlines for discovery and dispositive motions have passed. Indeed, the action had been scheduled for trial prior to the defendants' filing the instant motion. Although the plaintiff did not oppose the motion for transfer, given the posture of the *Towns* action, in which pretrial proceedings are essentially complete, we are not persuaded that transfer of this action for inclusion in the coordinated or consolidated proceedings is warranted.

IT IS THEREFORE ORDERED that the motion, pursuant to 28 U.S.C. § 1407(c), for transfer of this action is denied.

FOR THE PANEL:

*Wm. Terrell Hodges*

Wm. Terrell Hodges  
Chairman